

Appl. No. 10/089,338
Atty. Docket No. AA431
Amdt. dated May 6, 2005
Reply to Office Action of March 4, 2005
Customer No. 27752

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig 10. This sheet, which includes Fig. 9-10, replaces the original sheet including Fig. 9-10. The figure below Fig. 9, previously unidentified, has been identified properly as Fig. 10.

Attachment:

Replacement Sheet

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REMARKS

Claim Status

Claims 1-8 and 10 are pending in the present application. No additional claims fee is believed to be due.

Claim 9 is canceled without prejudice.

Claim 1 has been amended to characterize the skin care composition as oil-based, and to require that the base sheet of the barrier sheet be treated with a composition comprising a component selected from the group consisting of fluorochemicals, hydrophilic polymers, inorganic particles and mixtures thereof. Support for the amendment is found at page 61 line 8 – page 62, line 31 of the specification and in canceled claim 9.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §102 Over Hanson-Shaw]

Claims 1-2 and 6-7 have been rejected under 35 USC §102(b) as being anticipated by Hanson-Shaw (GB 2,311,727). This rejection is traversed.

Hanson-Shaw fails to disclose or otherwise suggest that the barrier sheet is to be treated with a composition comprising a component selected from the group consisting of fluorochemicals, hydrophilic polymers, inorganic particles, and mixtures thereof. Thus, amended claim 1 and dependent claims 2, 6-7 are clearly patentable over Hanson-Shaw and the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Mizutani in view of Hanson-Shaw

Claims 1-8 have been rejected under 35 USC §103(a) as being unpatentable over Mizutani (US 5,683,377) in view of Hanson-Shaw. This rejection is traversed.

Hanson-Shaw discusses the problem of retaining a substance for diaper rash on the article until the article is required for use. Mizutani is trying to solve a very different problem. Mizutani is trying to solve the problem of peel off of release sheets from adhesive surfaces. According to Mizutani it was difficult to peel off the prior art release

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sheets in one piece. Mizutani solves this problem by arranging the release sheets relative to the wrapping sheet. This is done to improve the removal of the first and second release sheets. Nowhere does Mizutani mention skin care compositions or the problems associated therewith. Thus, the man skilled in the art looking at Hanson-Shaw and the problem of retaining a diaper rash substance on the article until the article is required for use would not have a single motivation to look to the teachings of Mizutani as Mizutani is directed to solving an entirely different problem.

Thus claims 1-8 are patentable over Mizutani in view of Hanson-Shaw and the rejection should be withdrawn.

Rejection Under 35 USC §103(a) Over Mizutani in view of Hanson-Shaw and further in view of Hilston et al.

Claims 9-10 have been rejected under 35 USC §103(a) as being unpatentable over Mizutani US 5,683,377 in view of Hanson-Shaw and further in view of Hilston et al. (US 5,720,739). This rejection is traversed.

As claim 1 has been amended to include the limitations with respect to rejected claim 9, the applicant will address the rejection here with respect to amended claim 1 and dependent claim 10.

As mentioned above, the man skilled in the art looking at Hanson-Shaw and the problem of retaining a diaper rash substance on the article until the article is required for use would not have a single motivation to look to the teachings of Mizutani as Mizutani is directed to solving an entirely different problem.

Hilston et al is directed to solving the problems associated with reinforced fastening areas on disposable diapers. According to the teaching of Hilston et al., there is a problem of tearing the backsheet of a disposable diaper when the adhesive tape tabs are removed from the fastening area. Hilston et al. solves this problem through the use of a radiated cured mixture. Hilston et al. is not interested in skin care compositions nor the problems associated with them.

Thus, the man skilled in the art looking at Hanson-Shaw and the problem of retaining a diaper rash substance on the article until the article is required for use would not have a single motivation to look to the teachings of Mizutani nor to Hilston et al. as both Mizutani and Hilston et al are directed to solving very different problems.

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Thus, amended claim 1 and 10 are patentable over Mizutani in view of Hanson-Shaw further in view of Hilston et al. and the rejection should be withdrawn.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC 102 and 103. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-8 and 10 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Signature

Kevin C. Johnson

Typed or Printed Name
Registration No. 35,558
(513) 634 3849

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